

SHUMAKER & SIEFFERT, P.A.  
1625 RADIO DRIVE, SUITE 300  
WOODBURY, MINNESOTA 55125  
TEL 651.735-1100  
FAX 651.735-1102  
WWW.SSIPLAW.COM

RECEIVED  
CENTRAL FAX CENTER  
FEB 07 2008

---

**FACSIMILE SUBMISSION UNDER 37 CFR 1.8**

---

TO:	FROM:
Mail Stop Amendment	Jessica H. Kwak
COMPANY:	DATE:
U.S. Patent & Trademark Office	FEBRUARY 7, 2008
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
571-273-8300	3
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
571-272-6820	1023-291US01
RE:	YOUR REFERENCE NUMBER:
Interview Summary	10/693,001

---

This facsimile message is intended for the sole use of the intended recipient(s) and may contain information that is confidential, privileged and/or attorneys' work product. Any review or distribution by any other person is prohibited. If you are not an intended recipient, please immediately contact the sender and delete all copies.

## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	William C. Phillips; Jeremy J. Odegard; Michael W. Horvath	Confirmation No.	9336
Serial No.:	10/693,001		
Filed:	October 24, 2003	Customer No.:	28863
Examiner:	Christopher A. Flory		
Group Art Unit:	3762		
Docket No.:	1023-291US01		
Title:	NEUROSTIMULATOR PROGRAMMER WITH CLOTHING ATTACHABLE ANTENNA		

RECEIVED  
CENTRAL FAX CENTER

FEB 07 2008

CERTIFICATE UNDER 37 CFR 1.8 I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent and Trademark Office on February 7, 2008.

By: Shirley A. Betsch  
Name: Shirley A. Betsch

## INTERVIEW SUMMARY

Commissioner for Patents  
Alexandria, VA 22313-1450

Dear Sir:

In a telephonic interview initiated by Applicant on October 17, 2007 and a subsequent telephonic interview on October 23, 2007, Examiner Christopher A. Flory and Applicant's representative, Jessica H. Kwak, discussed the above-referenced application. The parties discussed the Declaration Under 37 C.F.R. 1.132 ("1.132 Declaration") filed by Applicant with a Supplemental Information Disclosure Statement on November 27, 2006 pursuant to the duty to disclose information material to patentability under 37 C.F.R. § 1.56. In particular, Applicant's representative clarified the purpose of the 1.132 Declaration.

The Office Action mailed on October 2, 2007 indicated that the 1.132 Declaration was considered, but was insufficient to overcome the rejection of claims 1-9 and 11-35 based upon 35 U.S.C. § 103 because "the proposed dates do not antedate the applied art." Applicant's representative noted that the 1.132 Declaration filed on November 26, 2006 was not a Declaration filed under 37 C.F.R. 1.131 used to establish invention of the subject matter of a rejected claim prior to the effective date of the reference or activity on which the rejection is

based. Applicant's representative clarified that the 1.132 Declaration was filed to submit information related to the manufacture of antenna assemblies more than one year prior to October 2, 2003, and to establish that the antenna assemblies were used for experimental purposes, and, therefore, the manufactured antenna assemblies were not "in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States" under 35 U.S.C. § 102(b).

Examiner Flory appeared to understand the purpose of the 1.132 Declaration and indicated that he would initial a copy of the 1.132 Declaration to provide, for the record, an indication that the 1.132 Declaration was considered.

No claims or prior art references were discussed, and no agreement regarding the claims was reached. In addition, no exhibits were introduced during the interview.

Date:

February 7, 2008

SHUMAKER & SIEFFERT, P.A.  
1625 Radio Drive, Suite 300  
Woodbury, Minnesota 55125  
Telephone: 651.735.1100  
Facsimile: 651.735.1102

By:

Jessica H. Kwak  
Name: Jessica H. Kwak  
Reg. No.: 58,975